



ZONING ADMINISTRATOR
NOTICE OF DECISION

Date: October 10, 2011
Applicant: Community Eldercare of San Diego
Case No.: PCC-11-042
Address: 630 L St., Chula Vista, Ca.
A.P.N.: 618-021-27-00
Project Planner: Richard Zumwalt, A.I.C.P., Associate Planner

Notice is hereby given that on October 10, 2011, the Zoning Administrator considered Conditional Use Permit Application PCC-11-042 filed by Community Eldercare of San Diego ("Applicant"), to operate the St. Paul's "PACE" program, which is a non-profit social service agency that would provide an all-inclusive program of services to senior citizens ("Project") at 630 L St. ("Project Site"). The Project Site is zoned Limited Industrial (IL) with a General Plan designation of Limited Industrial (IL). The Property is owned by St. Paul's Episcopal Home, Inc. ("Property Owner"). The proposed project and land use is more specifically described below:

The Applicant requests approval of a Conditional Use Permit to remodel the existing 17,000 square foot building to operate the St. Paul's PACE program, an all-inclusive program of services for senior citizens, including in-home services, healthcare, nutritional, social, recreational, wellness, meals, transportation, and administrative support offices. No expansion of the existing building is proposed. The project site is approximately 1.25 acres in size and would provide 54 parking spaces.

Public/Quasi-public uses such as the proposed project are permitted upon approval of a Conditional Use Permit (CUP) in the IL zone as an Unclassified Use pursuant to C.V.M.C. 19.54.020(U). Since the project involves conversion of an existing building without substantial expansion or remodeling, processing of an Administrative CUP is permitted.

The Director of the Development Services Department has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 1 Categorical Exemption pursuant to 15301 (Existing Facilities) of the State CEQA Guidelines. The proposed project consists of negligible or no expansion of an existing use. Thus, no further environmental review is necessary.

The Zoning Administrator, under the provisions of Section 19.14.030.A of the Chula Vista Municipal Code, has been able to make the Conditional Use Permit findings as required by CVMC Section 19.14.080:

That the proposed use at this location is necessary or desirable and will contribute to the general well being of the neighborhood or the community.

The approval of this project will enable the applicant to provide a federal and state licensed facility providing a variety of valuable services for seniors, which allows them to continue living independently within the community. Its location is desirable for provision of senior care services because the site is in a highly visible and conveniently accessible location to major streets and freeways, existing residential neighborhoods, neighborhood shopping, public transportation facilities, and other public services such as hospitals, parks, schools, and fire stations. The Social Security Office building, also a public/quasi-public use which has obtained a Conditional Use Permit approval, is located on the adjacent site east of the project site. The nearest existing St. Paul's "Pace" program facility is located in downtown San Diego, so the availability of similar senior care services is currently very limited in the City of Chula Vista. Therefore, approval of the Project will greatly enhance the variety and quality of senior care services for residents of the City of Chula Vista.

That such use will not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

The St. Paul's "Pace" program facility will be a community clinic that is licensed by the State of California Department of Health Care Services and the Federal Center for Medicare and Medicaid Services. It will be managed to provide a wide range of services to frail, elderly patients on-site and in their homes. The facility will be open to the public during the daytime hours of 8:00 am to 6:00 pm and will not provide overnight room, board or medical care services. The PACE program offers transportation to approximately 100% of its patients with vans that are contracted for this service. Thus, very few patients and family members will have to drive to the facility. A parking analysis has been prepared that shows that the project will provide 54 parking spaces, which is more than adequate parking to support the parking needs of its 44 employees, vendors, and occasional visitors, without affecting the amount of on-street parking available in the surrounding area. Thus the project will not generate a significant amount of traffic or parking that will impact the adjacent streets. With the exception of the dropping-off of patients, project operations are conducted indoors and will not affect adjacent light industrial, commercial, and residential land uses. Therefore, the operation of the facility will not adversely affect adjacent persons or properties.

Additionally, conditions of approval have been included which require that any activities that could result in excessive noise, traffic, emissions or other hazards that could affect adjacent properties be conducted indoors, or mitigated by the project design to minimize any potential impacts off-site. As a result of the approval of Conditional Use Permit, the project will be designed to include sound attenuation, fencing, landscape screening, and architectural enhancements that will improve the image of the area, and minimize any potential aesthetic impacts to adjacent properties.

That the proposed use will comply with the regulations and conditions specified in the code for such use.

Public/Quasi-public uses such as the proposed project are permitted upon approval of a Conditional Use Permit in the IL zone as an Unclassified Use pursuant to C.V.M.C. 19.54.020(U). Since the project involves conversion of an existing building without substantial expansion or remodeling, processing of an Administrative CUP is permitted. Granting of this Conditional Use Permit is conditioned to require the Applicant and Property Owner to fulfill conditions and to comply with all applicable regulations and standards specified in the Municipal Code for such use. These conditions will be enforced through building plan review, inspections prior to occupancy of the use and subsequent operation of the business. Furthermore, the conditions of this permit are approximately in proportion to the nature and extent of the impact created by the project in that the conditions imposed are directly related to, and of a nature and scope related to the size and impact of the project. The project will comply with all regulations and conditions specified in the Zoning Code for uses established under PCC-11-042.

That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.

The General Plan designates the site as Limited Impact Industrial. Operation of the St. Paul's PACE program clinic is a Public/Quasi-public which is permitted upon approval of a Conditional Use Permit (CUP) in the IL zone as an Unclassified Use pursuant to C.V.M.C. 19.54.020(U), therefore this approval will not adversely affect the implementation of the General Plan. Thus, the proposed project is consistent with the Limited Impact Industrial General Plan land use designation.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PCC-11-042 as described above subject to the following conditions:

The following conditions shall apply to the Project Site, and the Applicant or successor-in-interest shall satisfy these conditions prior to issuance of the first building permit for the project, or at the timeframe specified in the condition. Upon completion, the Applicant shall remain in compliance with the conditions as long as the Project relies upon this approval:

PLANNING DIVISION

1. The Project Site shall be developed and maintained in accordance with the PCC-11-042 approved plans, which include site plans and floor plans on file in the Planning Division, the conditions contained herein, and the Zoning Ordinance (Title 19).
2. The Property Owner or authorized representative shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the Property Owner and the Applicant have each read, understood and agreed to the conditions and land use operation modifications contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department.

Failure to return the signed true copy of this document prior to submittal for building permits to the Development Services Department shall indicate the Property Owner's and Applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

Signature of Property Owner

Date

Signature of Applicant or Authorized Representative

Date

3. The building permit plan submittal shall include a revised site plan, floor plan or elevations, to the satisfaction of the Director of Development Services. The revised site plan and elevations shall be consistent with the approved Conditional Use Permit, with the exception of the following changes:
 - a. The trash enclosure shall be re-designed to comply with the city standard dimensions to the satisfaction of the Environmental Services Program Manager
 - b. Please provide a detail of the trash enclosure, including an elevation drawing with a roof and enhanced door design, and a detailed plan showing the trash enclosure, drainage and paving improvements.
 - c. The loading space shall be increased in length from 23.5 ft. deep to the minimum required length of 25 ft and depth of 10 ft.
 - d. Wheel stops shall be removed from the site plan and not be utilized in parking lots.
 - e. Provide a minimum 6 ft. high solid masonry wall or solid wood fence along the southern and southwestern property lines.
 - f. Please show any proposed easements, boundary adjustments or notes on the final site plan needed to show accurate property lines.
 - g. Enhance the design of the utility doors visible to the parking lots on the north and east sides of building, and paint the re-designed doors to match or compliment the building elevation.
 - h. Provide an elevation drawing showing that visible roof equipment such as the fan, condenser units, and sound attenuators have been painted to match the background roof color.
 - i. Please provide color samples to match the building colors specified on the building elevations.

4. Provide plans showing sound attenuation for the proposed condensing units and exhaust fans on the south side of the building. Alternatively, if no sound attenuators are used, please provide a letter from a qualified acoustical engineer showing that exterior sound level does not exceed City Standards contained in CVMC 19.68.030 at the adjacent

property lines, and that the interior noise level of the adjacent residential dwelling units to the south does not exceed the City Standards contained in CVMC 19.68.040.

5. The Applicant shall apply for and obtain a sign permit for any required site/business identification signs from the Development Services Department in accordance with the Chula Vista Municipal Code Chapter 19.60.
6. The Applicant shall develop, submit and obtain approval of a “Recycling and Solid Waste Management Plan” to the Environmental Services Program Manager for review and approval prior to issuance of the building permit. A synopsis of the plan shall be included in the notes on the Building Plans. The plan shall demonstrate those steps that the applicant will take to comply with Sections 8.24 and 8.25 of the Municipal Code, to meet the State mandate to reduce or divert waste generated by commercial, residential and industrial developments. The applicant shall contract with the City’s franchise hauler throughout the construction and occupancy phase of the project.

BUILDING DIVISION

7. The Applicant shall resubmit plans for Building Permit B11-1291 in response to the City’s first plan check comments, and obtain approval of the permit. Building permits shall comply with applicable codes and requirements, including but not limited to the 2010 California Building Code (CBC) and Ca. Handicapped Accessibility requirements, 2010 California Mechanical Code, 2010 California Plumbing Code, 2010 California Electrical Code, and 2008 California Energy Code, as adopted and amended by the State of California and City of Chula Vista.
8. This project must be designed by an Architect or Engineer licensed by the State of California (California Business and Professions Code 5536.1, 6735).

ENGINEERING DIVISION

Prior to approval of the building permit or construction permit, comply with the following to the satisfaction of the Land Development Division:

Storm Water Management

9. Permanent storm water requirements, including site design, source control, and treatment control Best Management Practices (BMP's) shall be incorporated into the project design, and shall be shown on the plans. Provide sizing calculations and specifications for each BMP. Any structural and non-structural BMP requirements that cannot be shown graphically must be either noted or stapled on the plans.
10. If bio-retention facilities are proposed, site runoff shall be directed into these facilities. The bio-retention BMP's shall be designed in accordance with the Countywide Model SUSMP and the Storm Water BMP Handbook, BMP #32. Details for bio-retention

planter facility BMP's shall be shown on the building or construction permit plans, and on the landscape plans.

11. The trash enclosure area must be provided with roof or awning to avoid contamination of run off. There should be no run-on into or run-off from the enclosure area.

Access and Site Plans

12. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with CVMC Section 18.16.220. Landscaping, street furniture, and signs shall not obstruct driver visibility at street intersections or driveways.

Fees

13. The following fees will be required based on the final Building Plans submitted:
 - a. Sewer Capacity Fee
 - b. Traffic Signal Fee
 - c. Public Facilities Development Impact Fee
 - d. Additional deposit or fees in accordance with the Subdivision Manual for the Construction Permit, per the Master Fee Schedule

Public Improvements

14. Prior to obtaining any Building Permit for the Project, if project's total on-site improvements exceed Engineering Threshold of (currently: \$33,762.11), per CVMC, Section 12.24.020, then the applicant shall be required to obtain a Construction Permit from the Land Development Section of the Department of Development Services. (The On-Site Improvements Trigger for Installation of Public Improvements is adjusted on an annual basis on July 1 based on the Engineer Construction Cost Index). A Construction Permit is required to perform the following work in the City's right-of-way:
 - a. Removal and replacement of any broken or damaged curb, gutter, and sidewalk per SDRSD G-2, and G-7 along the project's frontage to the satisfaction of the City Engineer. Sidewalk shall be designed and constructed with proper transitions to existing conditions.
 - b. Removal and replacement of existing driveway(s) meeting design standards as shown in Chula Vista Construction Standard CVCS-1-A. Current Driveway(s) shall be replaced, if it does not meet the City of Chula Vista Design Standards/ADA Standards, or if existing driveway is cracked or broken. Dedication of R/W as needed in order for driveway to comply with (American Disability Act) ADA requirements.

15. Separate permits for other public utilities (gas, electric, water, cable, telephone) shall be required, as necessary.
16. All utilities serving the proposed project shall be underground pursuant to Municipal Code 15.32.
17. Any improvements in the right-of-way beyond the project limits shall be designed and constructed as to not interfere with adjacent businesses, as approved by the City Engineer.
18. The construction and completion of all improvements and release requirements shall be secured in accordance with Section 18.16.220 of the Municipal Code.

Sewer

19. Sewer lateral and storm drain connections to existing public utilities. The Public Works Operations Section will need to inspect any existing sewer laterals and connections that are to be used by the new development. Laterals and connections may need replacement as a result of this inspection.

Private Onsite Improvements:

20. The onsite sewer and storm drain system shall be private. All sewer laterals and storm drains shall be privately maintained from each building unit to the City-maintained public facilities.

Landscaping:

21. Prior to issuance of building permit, submit a 'landscape documentation package' for approval to the City of Chula Vista that demonstrates that the landscape associated with the application complies with the City of Chula Vista Landscape Water Conservation Ordinance, Chapter 20.12 of the Municipal Code. The title sheet of the drawings shall contain a signed statement from the landscape architect as follows:
 - a. "I am familiar with and agree to comply with the requirements for landscape improvement plans as described in Chapter 20.12 of the Municipal Code. I have prepared this plan in compliance with those regulations. I certify that the plan implements the regulations to provide efficient landscape water use."
 - b. The Landscape Architect should provide a "Declaration of Responsible Charge Statement" and include signature & date.
 - c. Signature title in Title Block on the final landscape plans shall read: "Director of Development Services or Designee".

FIRE DEPARTMENT

22. Prior to issuance of the building permit, the Applicant shall resubmit plans for Building Permit B11-1291 in compliance with the Fire Department's plan check comments dated 8/18/11, and other applicable provisions of the 2010 California Fire Code, and obtain approval of this permit by the Fire Department.

Upon certification by the Development Services Department for occupancy or establishment of use allowed by this Conditional Use Permit, the following conditions shall apply:

23. Hours of operation shall be limited to Monday-Friday 7:00 am to 6:00 pm.
24. The Project shall operate in compliance with the Project Description and Justification (Addendum Sheet 1) dated August 25, 2011.
25. The Project shall operate in compliance with the Performance Standards, CVMC Chapters 19.66 and Performance Standards and Noise Control, Chapter 19.68.
26. If a formal complaint regarding failure to comply with any conditions of approval of this Conditional Use Permit is received by the Director of Development Services, or if the Director determines that a failure to comply with conditions of approval this Conditional Use Permit has occurred, then the Director has the discretion to initiate an investigation which may include requesting the applicant to submit plans, technical studies, or other information deemed necessary to review the current Conditional Use Permit. After review, the Director has the discretion to either maintain the existing Conditional Use Permit, modify the Conditional Use Permit, or revoke the Conditional Use Permit, pursuant to the requirements of CVMC Section 19.14.270.
27. This Conditional Use Permit authorizes only the use specified in the application for PCC-11-042. Any new use, modification/expansion of use, or activities not authorized under this Conditional Use Permit shall be subject to the review and approval of the Zoning Administrator.
28. This permit shall become void if not used or extended within three years of the effective date thereof in accordance with Section 19.14.260 of the Chula Vista Municipal Code. Failure to comply with the any conditions of approval shall cause this permit to be reviewed by the City for additional conditions or revocation.
29. If any of the foregoing conditions fail to occur, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted, deny, or further condition issuance of all future building permits, deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted, institute and prosecute litigation to compel their compliance with said conditions or seek damages for their violation. The

applicant or a successor in interest gains no vested rights by the City's approval of this Conditional Use Permit.

30. Applicant and his/her successors in interest agree to defend, indemnify and hold harmless the City and its agents, officers and employees, from any claim, action or proceeding against the City, or its agents, officers or employees, to attack, set aside, void or annul any approval by the City, including approval by its Planning Commission, City Council or any approval by its agents, officers, or employees with regard to this Conditional Use Permit, provided the City promptly notifies the Applicant of any claim, action or proceeding and on the further condition that the City fully cooperates in the defense.
31. Approval of this Project shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 10th day of October, 2011.



Mary Ladana,
Zoning Administrator

Cc: Community Eldercare of San Diego, Attn: Cheryl Wilson, 328 Maple Street, San Diego,
Ca. 92103
Mosher, Drew, Watson and Ferguson Architects, Attn: Larry Hoeksema, 4206 West
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